IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SEVENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 15370 of 2004

Between:

V.Srikanth, S/o V.Subramanyam (Late),
Deceased Employee's Son R/o H.No.1-55/3, Madinaguda,
Hyderabad

..... PETITIONER

AND

1. The Chairman & The managing Director, Bharat Heavy

Electricals Limited, Siri-Fort, New Delhi - 110049
2 The Executive Director, Bharat Heavy Electricals Limited,
Ramachandrapuram, Hyderabad -32
3 The General manager (HR) Bharat Heavy Electricals Limited,
Ramachandrapuram, Hyderabad
4 The Addl.General manager/HR Bharat Heavy Electricals

Limited, Ramachandrapuram, Hyderabad-32
5 The General Manager M & S Bharat Heavy Electricals Limited,
Ramachandrapuram, Hyderabad-32
6 The Sr.Deputy General manager (HR) Bharat Heavy

Electricals Limited, Ramachandrapuram, Hyderabad-32

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or Writ, in the nature of the Writ of Mandamus or appropriate order or orders or direction or directions to consider the Application of the petitioner dated 1-3-2004 for suitable Employment on the roaster of BHEL in the light of the gestures in BHEL, Personnel Manual (1985 Edition) relating to the employment of the dependents dated 17-03-1998 in W.P.No.10068 of 1997 to consider the case of the dependant of a retiring employee that was set to retire on 24-12-1998 and in the latest orders of A.P.High Court in W.P.No.791 of 2004 dated 28-01-2004 and WP No.4331 of 2004 dated 09-03-2004 and consequently direct

the respondents to appoint the petitioner in the interests of justice

Counsel for the Petitioner: MR.BUDHIRAJU VENKATESWARA RAO

Counsel for the Respondents: MR.S.V.BHATT

The Court at the stage of admission, made the following :

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ORAL ORDER

The petitioner claims that he is the son of a deceased employee who died in harness on 26-08-1986 while in service. The petitioner contends that he made an application for compassionate appointment in 1987 and due to ban on recruitment, the respondents did not consider his request for compassionate appointment. The petitioner therefore, approached this court seeking a direction to the respondents to consider his request for compassionate appointment and to pass appropriate orders. The learned counsel for the petitioner submits that as per clause10.2.1 the management agreed to consider the cases of compassionate appointments and further submitted that the respondent-Company also indicated in respect of other cases that there is a claim available in the Company for employment of the dependent deceased employees on compassionate grounds subject to availability of suitable vacancies. The petitioner is contending that the respondents are issuing notification for filling all the vacancies in the Company. Therefore, it is essential to direct the respondent-Company to consider his case.

In the light of the above circumstances, the respondents are directed to consider the representation of the petitioner for compassionate appointment and pass appropriate orders according to the existing Rules within two (2) months from the date of receipt of a copy of this Order.

The writ petition is accordingly disposed of. No order as to costs.

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27TH AUGUST 2004

*TSNR

TO

1 The Chairman & the Managing Director, BHEL, Siri-Fort, New Delhi-110049.
2 The Executive Director, BHEL, Ramachandrapuram, Hyderabad.
3 The General Manager (HR), BHEL, Ramachandrapuram, Hyderabad
4 The Addl. General Manager/HR BHEL, Ramachandrapuram, Hyderabad.
5 The Additional General Manager/Finance, BHEL, Ramachandrapuram, Hyderabad.
6 The Sr. Dy. General Manager (HR), BHEL, Ramachandrapuram, Hyderabad.

7 Two C.D.Copies